

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION, DAYTON**

**Michael Wood,**

**CASE NO:** 3:22-cv-011

**Plaintiff,**

**v.**

**Sheriff DEBORAH BURCHETT,  
Individual and official capacity,  
Clark County Sheriff's Office,**

**Lieutenant DUSTIN "Dusty" WHITE  
Individual and official capacity,  
Clark County Sheriff's Office,**

**Executive Director DEAN BLAIR,  
Individual and official capacity,  
Clark County Agricultural Society,**

**CLARK COUNTY, Municipality,  
Board of Clark County Commissioners,**

**JURY DEMANDED**

**Defendants.**

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**42 USC § 1983 CIVIL RIGHTS COMPLAINT**

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**NOW COMES** Michael Wood, *pro se*, pursuant to 42 USC § 1983, 42 USC § 1985, 42 USC § 14141 (re-codified at 34 USC § 12601), 42 USC § 1986 and Monell v Department of Social Services, City of New York, 436 US 658 (1978). Plaintiff Is due declaratory judgment, permanent injunction of an unconstitutional "trespass order" pursuant to ORC 2911.23: Criminal trespass on place of public amusement, (see Wood

v Eubanks PAGEID#: 76, LOCATION OF OFFENSE) as well as an award of punitive and compensatory redress in the amount of \$3,000,000.00 for violation of his natural, constitutional and statutory rights, in retaliation. (see *Gathright v City of Portland*, 439 F. 3d 573 (9th Circuit 2006)).

## **JURISDICTION AND VENUE**

1. The District Court has original jurisdiction pursuant to 28 USC § 1331, 42 USC § 1983 and 1988. Attorney fee requested.
2. Venue is proper as the Defendants are government and /or quasi-government officials of Clark County, Ohio. All acts complained of occurred within the Southern District, Western Division.
3. Plaintiff's cause of action arose in Clark County, Springfield, Ohio.

## **PARTIES**

4. Plaintiff, Michael Wood, is a resident and citizen of New Carlisle, Clark County, Ohio, United States of America.
5. At all times material to this complaint, all Defendants are natural persons, and government agents acting (and/or failing to act) under color of law.
6. All Defendants are being sued in their individual and/or official capacity.

## **STATEMENT OF THE CASE AND FACT**

7. The Plaintiff, (hereinafter I), On July 29, 2016, wore a t-shirt to the Clark County Fair that read "FUCK THE POLICE". See *Wood v Eubanks, et al*, 3:18-CV-168; 20-3599 (6th Cir.).
8. I had received information in December 2019, from a credible source, that multiple agents of the Clark County Sheriff's Office had "heard that I was

back in the local area" and they [agents of the Sheriff's Office] "were watching for me".

9. On December 9, 2019 I went to the Sheriff's Office where I spoke with Lieutenant Dustin White, (hereinafter White), to inform him that "since at least a couple of his deputies had my name in their mouth, I would present myself" and requested the return of my property (t-shirt) seized as "evidence" on July 29, 2016 after an unlawful arrest, search and seizure. See EXHIBIT A, B and Wood v Eubanks PAGEID#: 79, PROPERTY.

10. I also requested copies of the internal affairs complaints filed in 2016; prior to dismissal of disorderly conduct and obstruction charges. White made a copy of the letter from Major Russell Garman, I provided for his inspection, (See Wood v Eubanks, PAGEID#: 83) and stated that he would look into my request. White was accompanied by an additional unidentified agent.

11. I questioned White.

Me: For what crime was the t-shirt evidence of proof?

Dusty: You are actively suing us; right?

Me: You're damn right I am.

Dusty: The attorneys can handle that...

Me: I am my attorney. I'm putting you and the department through, you on, permanent official notice of intent to file suit every time my rights are violated.

12. The interaction ended without further remarkable action.

13. On January 16, 2020 I called the Sheriff's office to speak with White, to follow up on my request for the Internal Affairs complaints. White informed me that "he has no record of any complaints"; like I never filed them. I then stated: "Right, I never filed complaints and you people did not tamper with the body cam audio and video data of what happened prior to my arrest." I then laughed out loud and continued: "You all are full of shit".

14. White didn't like that.

15. Because I can't trust the police to police themselves, I made sure the complaints I filed on April 26, 2021 were time stamped and signed by Lt. Michael Young. (see EXHIBIT C).

16. After the interaction with a hostile White on January 16, 2020, he contacted Dean Blair at the Clark County Fairgrounds to solicit the "trespass order" and conspired with Dean Blair resulting in the production of the "order". (see EXHIBIT D).

17. The "trespass order", dawning the name of Sheriff Burchett, was sent from the Clark County Sheriff's Office On January 22, 2020 by certified mail, dawning the name of Sheriff Burchett. After multiple attempts to deliver by the USPS a sticky note was left for me at the home of my mother to retrieve the mail from the New Carlisle Post Office, sometime after February 8, 2020 I did so. (see EXHIBIT E).

18. Over the past couple years I have contacted the Board of Clark County Commissioners multiple times to complain about this very issue, as well

as several others, to no avail. At Least twice I actually spoke with a person and left messages, providing my name and contact information.

19. I have never interacted with Dean Blair prior to his attack on July 29, 2016.

I have never interacted with him since that date. Nor have I returned to the public property since.

**COUNT I: Claim under 42 USC § 1985, Conspiracy to interfere with civil rights.**

20. Plaintiff incorporates paragraphs 1-19 as though fully set forth herein.

21. On January 16, 2020 White contacted Dean Blair to solicit the "trespass order" from the public property overseen by the Agricultural Society.

22. The fact that the Sheriff's name is on the "order" infers that she approved.

**COUNT II: Claim under 42 USC § 14141, (re-codified at 34 USC § 12601) Police pattern or practice.**

23. Plaintiff incorporates paragraphs 1-21 as though fully set forth herein.

24. The solicitation was exactly what the Defendants did on July 29, 2016 to remove my corpus from the public property for a t-shirt.

**COUNT III: Claim under 42 USC § 1983, Civil action for deprivation of rights.**

25. Plaintiff incorporates paragraphs 1-23 as though fully set forth herein.

26. The "Trespass order" was a result of conspiracy in retaliation and a continuation of retaliation, between White and Blair, but was approved of by Sheriff Burchett, who should have prevented it+

27. This is a violation of my First, Fourth, Fifth, Eighth, Ninth, Tenth and Fourteenth Amendment rights, as well as equivalent articles and sections of the

Ohio Constitution. (Privacy, substantive and procedural due process, equal protection, privilege and immunities, speech, expression, association, fundamental personal liberties, locomotion, cruel and unusual punishment, unlawful seizure, and every other unenumerated right found by penumbra of enumerated rights . "The People" are sovereign from the Corporation.

**COUNT IV: Claim under 42 USC § 1986, Action for neglect to prevent.**

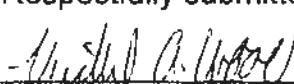
28. Plaintiff incorporates paragraphs 1-26 as though fully set forth herein.
29. The Sheriff should not have approved and, given the history, intervened to prevent the violation of rights in retaliation.

**COUNT V: Claim under Monell v Department of Social Services, City of New York,**

**438 US 685 (1978).**

30. Plaintiff incorporates paragraphs 1-28 as though fully set forth herein.
31. The fact that the Clark County Commissioners have refused to communicate with me or correct, not just this issue but several others, shows explicit approval of the misconduct of these agents of the local municipality.

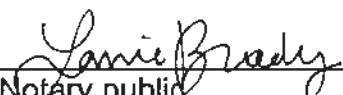
Respectfully submitted,

  
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Michael Wood, pro se  
1785 N. Hampton Rd.  
New Carlisle, Ohio 45344

Sworn to and subscribed in my presence, this 7 day of January 2022.



LANIE BRADY  
Notary Public, State of Ohio  
My Comm. Expires June 11, 2025

  
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Notary public